

BIG FINE ANNULLED BY SUPREME COURT

Judge Long Reversed in This Respect by North Carolina Tribunal.

HIS RULING STANDS ON OTHER POINTS

Constitutionality of the Rate Law Sustained, but Bill of Indictment Made No Criminal Charge Against Railroad Company.

RALPH, N. C., December 4.—The North Carolina Supreme Court, in a decision handed down this afternoon, reversed Judge Long, of the Superior Court, in the matter of \$50,000 imposed as a fine on the Southern Railway for selling passenger tickets at a rate in excess of 2-1-4 cents, the State rate, and at the same time it affirms the action of the court and the constitutionality of the legislative act in prescribing punishment of agents and officials of the road for selling tickets at an excess rate, the bringing of penalty suits of \$500 each by individuals against the corporation for violating the law, and holding that the Federal court has no authority to issue an injunction against bringing suits, criminal or civil, against the railroad, as it would, in this enjoining a criminal action, be bringing a suit against the State—prohibited by the United States Constitution—as the act of the Legislature was self-operating as to passengers fares, and required no action on the part of State officials.

Justice Clark Sustains Fine. The opinion is that of four justices of the Supreme Court, and is dissented from by Chief Justice Clark, who holds that if an agent can be fined or imprisoned the railroad can also be fined as a punishment for its acts in charging an agent to sell tickets at illegal rates. In his dissenting opinion he intimates that the Legislature should be called together in special session so as to make the act so explicit that the railroads can be punished by fines.

Associate Justice Brown, in a concurring opinion with the court, says that there is no need of an extra session of the Legislature; that if the act as it stands, is enforced, the railroad could not stand a week's violation of it.

The points passed upon. The opinion sets out the following four points: First, That there was no error in Judge Long compelling a trial of the case.

Second, That the Federal court injunction was in defense of a criminal action, no power lying in the Federal court to enjoin a criminal prosecution.

Third, That the rate law was self-executing in effect, and that no suit against the State will hold in defense of a criminal action against the Constitution.

Fourth, That where a civil penalty is prescribed against a corporation, followed by the creation of a criminal offense against the agents of the corporation, the civil penalty first prescribed relates to the corporation of punishment by indictment under the criminal offense created against the agent.

Not Charged in Indictment. The court holds that the defendant received absolutely fair trial before Judge Long, but that there was no criminal offense charged in the bill of indictment against the Southern Railway, the offense of selling tickets above the 2-1-4 cent rate being charged above the 2-1-4 cent rate being charged against Ticket Agent T. E. Green, who was punished by fine.

The act of the Legislature prohibits a charge above 2-1-4 cents per mile, and then provides, Section 4, that any railroad company violating the provisions of the act shall be liable to a penalty of \$500, and the agent being guilty of a misdemeanor. The doctrine is that where an offense is created by statute and the same statute prescribes the penalty, or the mode of procedure, only that indicated by statute can be followed. But where the offense is at common law, statutory provisions not directly repugnant to the common law are cumulative, and either law may be followed. Where an offense is prohibited, but is silent as to any penalty, an indictment will lie. But where an offense is prohibited and a penalty is imposed, no indictment will lie, and hence judgment of the lower court is reversed.

Hardly Have Extra Session. The effect of the ruling of the Supreme Court and the probable steps are mooted questions. Governor Glenn is in Washington, and no expression can be obtained here from him. The general expectation seems to be that there will be no extra session, but that the case will be allowed to go on up to the United States Supreme Court, the 2-1-4 cent rate continuing in operation in the meantime. This seems to be the expectation of the State Supreme Court, the light of its rulings.

Just As Was Expected. The Times-Dispatch, on reliable information, printed a statement November 11th to the effect that the Supreme Court of North Carolina, by a vote of 4 to 1, would refuse to sustain the ruling of Judge Long in imposing a fine of \$50,000 on the Southern Railway for failing to observe the 2-1-4 cent passenger rate law. It seemed to be common knowledge in North Carolina that Chief Justice Clark would write the dissenting opinion.

ACQUIT HOME PROTECTOR

J. P. McNeill, Who Killed Harry Jacksonville, Is Justified by Jury.

JACKSONVILLE, Fla., December 4.—Commonwealth v. McNeill, charged with the murder of Harry Jackson, a tragedy growing out of alleged attentions of Parker to McNeill's wife, who was the widow of Stephen Crane, the novelist, was today acquitted in the Circuit Court of Duval county. The case was first fought, and was in progress three days, being presented to the jury Tuesday afternoon.

PEONAGE IN VIRGINIA

Federal Grand Jury Investigating Charges Brought by Italians.

DANVILLE, Va., December 4.—The grand jury of the United States Court now in session here, which has for three weeks been investigating frauds on the government by bonded distillers, today began its investigation of alleged peonage cases brought to the attention of the government by the Italian consulate at Washington, D. C. The investigation of the peonage cases, and some indictments of a highly sensational character are expected to be returned.

It seems that several months ago Henry Vinola, of Baltimore, acting as agent for the Boston Shipping Company of New York, who are labor agents, secured twelve Italian laborers to work on the Norfolk and Western Railroad, despite the fact that there is no such law as that in that city. Tickets for the laborers were purchased at Baltimore by a representative of the Boston company, and the Italian laborers, who were going to Norfolk, while passing through Washington it is alleged that Vinola suspected that he and his laborers were not going to be treated right and made a report to the Italian ambassador. After getting on the train it is further charged that the men discovered for the first time that they were being taken to Bristol, Va. Instead of Norfolk. Upon arriving at Bristol they were turned over to contractors for the Southern and West Virginia, and told that they had to work for a certain time to pay back the money spent for transportation. A number of the laborers rebelled against the case, and were taken to Norfolk, where they were being held in a rooming house, and it is charged that they were intimidated and threatened.

The government officers have been working with much secrecy on the case for some time, and refuse to give out all of the particulars until after the indictments are returned. Mr. Barnes of the Secret Service Department and four Italians, who it is alleged were held in peonage, arrived here tonight, and will testify before the grand jury.

ROOSEVELT'S FOES CONTROL

Opponents of President Number Majority of National Committee.

Washington, D. C., Dec. 4.—The control of the Republican National Committee is now claimed to be vested in the enemies of President Roosevelt. The estimates of the majority, which the committee is controlled by, the anti-Roosevelt people run from four to ten. There is practically no doubt that the committee, as at present constituted, is opposed to the renomination of Mr. Roosevelt, and wants to bring about the nomination of somebody who is opposed to his policies.

Upon whom the committee will concentrate is not known. It will not be Taft, nor Hughes. It will probably be Cannon; it may be Knox, or possibly a dark-horse may finally claim the support of the members of the committee. The attempt will be made to prevent the President's nomination, should he desire to be a candidate again, there is no doubt, nor any that the committee will endeavor to prevent the nomination of a man whom the administration supports, should the President try to compass the nomination of somebody else.

FAVORS AN AGREEMENT

Mr. Dula Thinks Tobacco Jobbers Should Have Uniform Prices.

NEW YORK, December 4.—That an ironclad agreement between all jobbers to maintain list or schedule prices on tobacco is the most profitable thing for the consumer, the manufacturer and the jobber is the belief of Caleb C. Dula, vice-president of the American Tobacco Company, as expressed in his witness-stand today in the hearing of the case of the United States against the American Tobacco Co. He said that tobacco is sold in the form of jobbers to hold jobbers to any uniform price and that cutting invariably results in a loss to the consumer. He said that the jobbers will take more interest in pushing the sale of goods in which there is a good profit.

Mr. Dula has charge of the American Tobacco Company's plant tobacco sales department. He said such allowances are made jobbers on plug tobacco as on the other forms of tobacco no gratuities of any kind for showing their goods or brands, he said. He said that the tobacco trade is a business, and that a general discount of 7 per cent from the face of the bill has been allowed except in New England, where a discount of 10 per cent is given. This in addition to the usual cash discount given in nearly all trades for cash.

PROMINENT MAN TO JAIL

Former College Professor Given Two Years in Prison for Rape.

CHARLOTTE, N. C., December 4.—C. W. Hyams, formerly professor of botany and mineralogy in the Agricultural and Mechanical college at Raleigh, and a man of social standing, was today sentenced to two years at hard labor by Judge Ferguson, in Mecklenburg Superior Court, on a charge of larceny.

Hyams abstracted law books from the library in the law building and sold them to a friend in Raleigh, making no effort to cover his tracks. In court today his counsel submitted and pleaded for the mercy of the Judge, claiming that Hyams is mentally unsound and should not be punished. Despite the plea Judge Ferguson imposed the minimum sentence.

The case is a sad one. Through drugs or adverse circumstances Hyams had rapidly descended, and when he leaves for the penitentiary to-morrow he leaves behind a poverty-stricken wife and children without visible means of support.

WILL DINE-BEAR-HUNTERS

President Will Break Bread With Fellow-Hunters Friday.

WASHINGTON, December 4.—President Roosevelt will entertain at dinner Friday night a number of gentlemen who have hunted bear with him in various places. Harvey and Olive Metcalf of Greenville, Miss., arrived at the White House today for the dinner. Other guests expected to be present are Dr. Alexander Lambert, of New York; John F. Parker, New Orleans; Surgeon-General Rixey and John W. McIlhenny, Civil Service Commissioner.

JURY ACQUITS SEAL OF SMITH MURDER

Defense Established an Alibi for Their Client, Who Goes Free.

WOMAN DENIES HER AFFIDAVIT

Mrs. Jenkins Asserts That She Was Told to Make Affidavit and Did So Under Threats. Witnesses Testify to Absence of the Accused.

CULPEPER, Va., December 4.—William Seal, on trial for the murder of William Smith, was today acquitted by a jury in the Circuit Court and discharged from custody. The verdict almost immediately followed the retirement of the jury in the case, and the result was anticipated, an alibi having been established by the defense. Fred Jenkins, indicted jointly with Seal for the crime, will now be tried for his life. Many of the witnesses put on in the Seal case will depose also in the Jenkins trial.

The third day of the trial was devoted by the defense to following up proof of yesterday as to the attempted alibi for William Seal, and was devoid of sensational incidents, with the exception of the testimony of Beale Jenkins, the wife of Fred Jenkins, Seal's co-defendant in the Smith murder.

Would Not Believe Witness. Fred Porter, for the defense, swore that he would not believe several of the witnesses for the Commonwealth on oath.

Deputy Sheriff John A. Bowersett, for the defense, was a witness that Seal, while in prison, never made any attempt to break jail.

James H. Judd, another witness for the accused, testified that Fred Jenkins, co-defendant, told him soon after the murder of William Smith, that he shot and killed him, and further, that Claude Norris gave him (Fred Jenkins) \$13 to kill Smith, all of which testimony was strongly denied by Witness Claude Norris.

Wilkes Parr was examined by the defense as to the proof of alibi for Seal, placing Seal a little before the time of the murder at some distance from the scene of the crime.

Denies Her Affidavit. Then came Mrs. Fred Jenkins, who, it appeared, had previously made an affidavit tending to show that her father, William Seal, had nothing to do with the murder of William Smith. The defense introduced the woman as lately having been a hostile witness.

She swore that she signed the said statement at the direct command and threats of her mother, wife of William Seal, and further she said that her father, William Seal, the only way her father (Seal) could get her (Mrs. Jenkins) swearing in court that William Smith had had criminal relations with her.

Next appeared in the witness box Mrs. William Seal, wife of the man on trial. She testified that on the evening of the killing of Smith, both she and her husband were at home at about the time the murder was taking place, eating supper, and that Fred Jenkins, who lived with them, was then absent, and that she and her husband were waiting for him to come home to his evening meal. He then came, but gave no account of his long absence. She also strongly denied all that her daughter, Mrs. Jenkins, had just sworn to as to Mrs. Seal telling her that she must swear to Smith's relations with Mrs. Jenkins in order to clear Seal of killing Smith.

Mr. J. W. Jasper was examined as to what Mrs. William Seal had sworn to in regard to the time of her husband being killed.

Mrs. Rosa Seal said that William Seal was at her house in Madison county, after 12 o'clock on the night of the killing.

Evidence in Rebuttal. The defense rested its case, and the Commonwealth in rebuttal called Mr. Wise Dodson, who swore that William Seal was a very brisk walker, and provoked a ripple of laughter in the courtroom by saying that Seal could get over the road with a pretty light foot.

Both sides here said to the court that they were through with their testimony, and the court thereupon charged the jury with his instructions, which were considered fair to both prosecution and defense.

Commonwealth's Attorney Charles M. Walte then began his clear and forceful address to the jury. Mr. Walte well analyzed the testimony and made a strong argument.

He was followed by Messrs. Keith and Wampler, counsel for the accused, in arguments at once ingenious and effective.

They were followed by the State's attorney. The case was then given to the jury, who immediately returned a verdict of acquittal, and Seal was discharged.

Fred Jenkins will next be put on trial for his life for killing William Smith.

KILLED BY CAVE-IN

One Man Loses Life in Honokee and Four Others Injured.

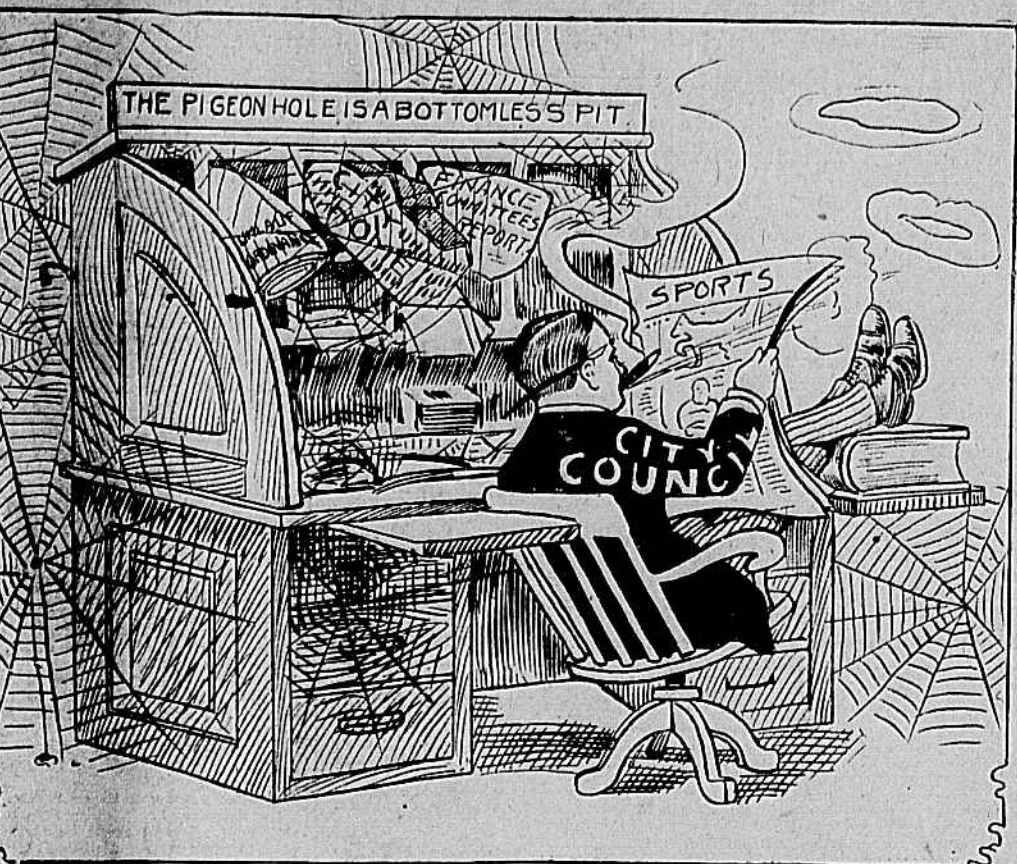
ROANOKE, Va., December 4.—By the cave-in of an embankment in the West End yard today, one Italian, Michelina Davolio, was crushed to death and four Italians badly injured.

He was followed by Messrs. Keith and Wampler, counsel for the accused, in arguments at once ingenious and effective.

They were followed by the State's attorney. The case was then given to the jury, who immediately returned a verdict of acquittal, and Seal was discharged.

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CLEAN UP THE DESK COUNCILMEN



TAFT SPENDS DAY AT CZAR'S PALACE

Emperor Showed Great Interest in All Questions Affecting This Country.

REVIEWS CRACK REGIMENT

Secretary Entertained at Dinner by Foreign Minister and Meets Premier.

ST. PETERSBURG, December 4.—Secretary Taft was received in audience today by Emperor Nicholas at Tsarkoe Selo, and received from His Majesty the frankest expression of Russia's sentiments of sympathy and regard for the United States. The Emperor requested Mr. Taft to convey his greetings to President Roosevelt.

The Secretary spent about five hours in company with the Emperor and enjoyed the honor of a long and intimate conversation regarding the situation in the United States. The Emperor is suffering so severely from an attack of influenza that Mr. Taft did not see him. He was presented, however, to the other members of the Imperial family and to many high military and court officials.

The Secretary left St. Petersburg at an early hour on a special train for Tsarkoe Selo. At Tsarkoe Selo the party was met by a state equipage and several court officials. The visitors were driven direct to the so-called "little palace," the residence of the Emperor, and escorted through the palace.

Secretary Taft was received by His Majesty in his private study. There the Emperor questioned Mr. Taft concerning the situation in the United States. He referred also in a complimentary manner to the work done by the American government on the Isthmus of Panama in its fight against yellow fever.

Reviews Imperial Troops. The party then proceeded to the riding school, where the Semenovsky Regiment, 1,800 strong, and accompanied by a machine-gun battery and several other detachments were drawn up. The Emperor and Secretary Taft were received with cheers. Then the Emperor and his guest, accompanied by the Russian staff, walked to the gathering through the lines of the regiment and inspected its formation. The troops passed twice with a quick step before the reviewing party, and then the host and his guests returned to the palace for luncheon. In the course of the luncheon Emperor Nicholas toasted the Semenovsky Regiment, and thanked the officers for their loyal services in recent trying times, making special reference to the work of this regiment in putting down the Moscow insurrection.

It was a late hour in the afternoon before the visitors returned to St. Petersburg.

To-night Secretary Taft and the members of his party were entertained at dinner by Foreign Minister Isvolsky. At this function there were present also Premier Stolypin, the Minister of Finance, M. Kokovskiy; the War Minister, General Rudiger; Lieutenant-General Balatyn, chief of the general staff, and the most prominent officials of the foreign office.

REVERSE DIVORCE DECREE

Plaintiff, Said to Be a Virginia Lady, Loses on Appeal.

(Special to The Times-Dispatch.) NEW YORK, December 4.—The appellate division of the Supreme Court has reversed the decree obtained by Mrs. Elizabeth Lee Keville against her husband, Peter E. Keville, a manufacturer for an absolute divorce. Justice Garretson granted a decree upon the testimony of a servant girl in the adjoining house, owned by a Mrs. Bauer, who testified to alleged misconduct by Keville. Keville contended that at the time of the alleged acts of misconduct he was in Europe.

Mrs. Keville is a member of the Lee family of Virginia.

FINE BANKING RECORD

Nearly One Million Increase in Deposits By Five Banks Since August 22d.

Sworn reports of December 3d of the Richmond banks as published in today's Times-Dispatch, comprising only about one-half of Richmond's financial institutions, make a remarkably strong showing, even when compared with the reports of August 22, 1907, when the financial situation was undisturbed and business throughout the country was at its height.

The increase in the loans and discounts of these banks between August 22d and December 3d was:

Increased loans and discounts, \$1,088,000
Increased deposits, 218,000
Increased reserve, 344,000
Increased total assets, 1,650,000

The figures show an unmistakable clearing house, and the splendid guidance of the local clearing house, has resulted in greatly increasing the usefulness of these banks, only to Richmond business people, but to a territory extending hundreds of miles in every direction.

Richmond has undoubtedly won for itself the proud title of the financial center of the South.

The above are figures from only about one-half of the banks of the city. As soon as all returns are in The Times-Dispatch will publish a complete statement, which will make every friend of Richmond proud.

No clearing house certificates or scrip for old Richmond, but the best bank that the city has, and the best bank that the country has, for the best and most sensible people on the globe.

WELL SUPPLIED WITH CHECKS

Two Men Arrested in Danville Suspected of Forgery.

(Special to The Times-Dispatch.) DANVILLE, Va., December 4.—Two young white men, well-dressed, and giving the names of J. J. Wilson and J. J. Wilson, who have been going out several miles in the city, were arrested this afternoon on a charge of committing several forgeries.

One of the men presented a check at a clothing store here this afternoon. The check was for \$100.00, and was signed by Colonel O. D. Dwyer, and drawn on the Bank of Danville, which he is a director. The proprietor grew suspicious, and after ascertaining that the check was a forgery had the man arrested. His partner was taken in a foreboat, but several men declared they saw the Lieutenant on the ferryboat after it arrived at Alexandria, Va. One woman, who knew the lieutenant, said she saw him drop a check in the receiver as he walked off the wharf.

Lieutenant Crawford supplied a motive for suicide in the note left with \$5,000. But his wife says that she could and would have paid this. Crawford believed his wife was a defaulter. Mrs. Crawford believes her husband has not drowned himself, but has gone away; if she knows or suspects why, she does not tell.

METHODICAL SUICIDE

Police and Wife of Dwyer's Secretary Satisfied He Did Not Jump in River.

WASHINGTON, December 4.—The police are convinced that Lieutenant John W. Crawford, U. S. A., secretary to Admiral Dewey, instead of jumping into the river, jumped the town. Search for the body in the Potomac was abandoned several days ago. The officers say that the preparations by Lieutenant Crawford for his supposed suicide were entirely too methodical. It was supposed that he jumped into the river from a ferryboat, but several men declared they saw the Lieutenant on the ferryboat after it arrived at Alexandria, Va. One woman, who knew the lieutenant, said she saw him drop a check in the receiver as he walked off the wharf.

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KNOX BOOM LAUNCHED

Entire Pennsylvania Republican Delegation Felt Him for President.

WASHINGTON, December 4.—The boom of Senator Philander C. Knox, of Pennsylvania, for the presidency was formally launched at a notable banquet in this city to-night, when the Pennsylvania Republican congressional delegation placed itself squarely on record in favor of the Pennsylvania Senator as President Roosevelt's successor. The occasion was a dinner given by former Representative Joseph C. Shiley of Pennsylvania, to the Pennsylvania delegation in Congress. Mr. Knox's candidacy was hailed most enthusiastically by his colleagues in Congress. Representative Burke, of Pittsburgh, was the first speaker, and his remarks evoked frequent applause.

FIFTY MILLIONS FOR WATERWAYS

Senator Newlands Offers Bill Urging What Great Body is Asking.

TWO THOUSAND INDORSE PLAN

Prominent Men, Including Secretary Root, Ambassador Jusserand, Senator Newlands, Commissioner Knapp and Others Commend Project for Improving Waterways.

Times-Dispatch Bureau, Munsey Building, Washington, D. C., Dec. 4.

The Senators and Representatives from the various States, especially of the South, it appears, are deeply interested in the session of the Rivers and Harbors Congress, which opened here today with addresses from Secretary Root and other prominent officials of government. The House of Representatives was not in session to-day, and most of the members could be found about the lobby at the New Willard, where the daily sessions of the congress are being held.

The fact that the sentiment in favor of the improvement of the waterways of this country is growing with wonderful rapidity, and has reached great strength, is apparent after hearing the subject discussed by delegates who represent the solid business men of the various States, by the Governors, and by Senators and Representatives.

Senator Martin Indorses It. "I believe the development of water transportation on our inland streams is a matter of transcendent importance," said Senator Martin this morning in the marble room at the Capitol, after an hour or so spent with delegates to the Congress, especially with the Virginia delegation. "It is a subject which has been greatly neglected. The indications are that this will change and that popular sentiment is taking the subject into its hands, demanding a fixed and comprehensive policy of improvement of our inland waterways."

Representative P. R. Lassiter, of Virginia, is a delegate to the convention, and is taking the keenest interest in the convention's work, as he is deeply interested in the improvement of water communication. He attended the Deep Waterways Convention in Philadelphia two weeks ago, where his interest in the subject was much stimulated. Representative John Lamb was at the opening session of the convention to-day. He has always been much interested in river improvement.

Newlands Asks Fifty Million. The bill introduced to-day by Senator Newlands, of Nevada, creating a fund of \$50,000,000 for inland waterway improvement, not only is indicative of the trend of sentiment, but the bill is believed to be of especial significance, in that it is thought to have behind it the support of the Inland Waterways Commission, since Mr. Newlands is vice-chairman of the commission, and Representative Burton is chairman.

The greatest enthusiasm marks the deliberations of the congress, and the enthusiasm is in the conversation of every delegate who discusses the aims of the congress. They mean business. It is hardly probable that anything will be done at this session in the way of making appropriations for better water transportation.

Four Governors are in attendance on the convention, including Governor Vandenberg of Michigan, Governor Folke of Missouri, Governor Johnson of Minnesota, and Governor Cummings of Iowa.

The Virginia delegates to the convention include Mr. C. Patterson and George Bryant of Richmond, R. H. Cansey of Hampton, F. R. Lassiter, of Petersburg, and the following citizens of Norfolk: Robert Johnson, W. R. Boutwell, J. A. Hall, G. W. Harney, T. H. Smyth, W. T. Anderson, R. A. Dingle and George Lindsay.

Nearly 2,000 delegates, representing every State in the Union, were present. It is not a special project that the convention has in view, but the adoption of a policy by the government looking to the extension of the transportation facilities of the United States. On behalf of the national administration Mr. Elihu Root, Secretary of State, extended to the congress hearty sympathy in the work which it has undertaken, and gave assurance of the support of the administration in the conclusions arrived at by the delegates.

The congress will be in session for three days, and the body will be addressed by some of the most prominent publicists and economists of the United States.

Proceedings of Convention. The convention was formally opened at 10 o'clock this morning. Representative Joseph E. Randall, of Louisiana, presided. The services began with prayer by Bishop Cranston, of the Methodist Episcopal Church. President Randall in opening the congress referred to the work of the national administration in promoting trade relations between American and foreign countries, particularly those countries lying to the south of the United States, and referred in complimentary terms to the achievements of Secretary Root, of the State Department, in promoting these relations. He

COUNCIL WITHOUT BUSINESS METHODS

Delay in Legislation Raises Storm of Complaint Against System.

PIGEON HOLES ARE CROWDED

Dr. Williams' Protest Arouses Members to Importance of Speeding Needful Laws.

Pigeon-holes, heretofore crowded with resolutions and important ordinances, will not be such popular receptacles hereafter if the crusade begun by Councilman Ennion G. Williams forces dilatory committees to properly observe the rules of Council and develop more speed in the consideration of pressing legislation.

Though he went after the Finance Committee without gloves, Dr. Williams was not unmindful of the fact that the complaint was general. He did recent methods, however, by which questions bearing directly upon the welfare of the City Home, and really calculated to save instead of expend additional funds, should be kept on the table for nearly a year. When Councilman Davis followed up this attack with the statement that the same committee had held back another resolution for more than a year, the lower branch promptly passed a resolution ordering the return of the papers, even though the rules demanded that course without special legislation looking to speed. But then the point was made that the Finance Committee was not the lone offender.

Months ago the Committee on Relief of the Poor sent a tracer into the councilmanic morgue, and finally located ordinances, put away and covered with dust. But that effort did not result in bringing them back. With the indorsement of practically entire medical profession of the city, the plan for staff changes at the City Home is opposed for reasons, it is said, which would be interesting if the true story were printed.

One Cause of Delay. There is much, however, that can be said in behalf of the delay. For very often there is an ordinance to be voted on, with nobody present to explain its meaning. This frequently happens in the matter of increasing salaries, more evidence being desired than the off-hand plea of the man who hopes to be benefited financially. The staff change proposition was explained, so Dr. Williams contends, that the delay was not due to ignorance on the part of the councilmen. Frequently, when there is a desire to kill a measure, it is laid on the table indefinitely. Then, too, when an ordinance is returned to Council for approval or rejection recommendations for some reason are unwelcome to put it in the slaughter pen, recommending it when it is thoroughly understood that the committee will merely confirm its former opinion on reconsideration.

Sometimes reports are swift. Monday night, for instance, an ordinance was passed.

ONLY TO MAKE HER ILL

Julia Freshour Says She Did Not Intend to Kill Mrs. Westall.

(Special to The Times-Dispatch.) ASHLEY, N. C., December 4.—Julia Freshour, who yesterday attempted to kill Mrs. W. H. Westall, with whom she lived, by putting a quantity of corrosive sublimate in her coffee, was given a hearing before Police Justice Reynolds this morning, and a six months' sentence at the county home was imposed. Judgment was suspended, however, on good behavior, and the girl was discharged, the instructions of the court being that she be sent to her sisters in Orange, N. J., her parents, who lived in Hot Springs, N. C., are dead.

While the child admitted having put the poison in the cup, she claimed that she had not intended to kill Mrs. Westall, but only to pay off old scores for mistreatment she had received. Judge Reynolds in passing sentence said that he was at a loss what to do with the girl in the absence of a reformatory, and released her on the condition that she go to her sisters.